

## ARCHITECTS SECTION MEETING

### MINUTES

The Architects Section of the Virginia Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects (APELSCIDLA Board) met on July 26, 2006, at the Department of Professional and Occupational Regulation, 3600 West Broad Street, Richmond, Virginia, with the following members present:

John S. Clark, Jr.  
J. Everette Fauber, III  
Kenneth A. Schwartz

Staff present for all or part of the meeting were:

Jay W. DeBoer, Director  
Karen W. O'Neal, Deputy Director of Licensing and Regulation Division  
Mark N. Courtney, Executive Director  
Marian H. Brooks, Program Administrator  
Michelle Gowen, Administrative Assistant  
Earlyne Perkins, Legal Analyst

No representative was present from the Office of the Attorney General.

Mr. Schwartz, Chair, called the meeting to order at 9:00 a.m.

#### Call to Order

Mr. Fauber moved to approve the agenda as written. Mr. Clark seconded the motion which was unanimously approved by members: Clark, Fauber and Schwartz.

#### Approval of Agenda

**Public Comment Period** – No comments were made to the Section members.

#### Public Comment

Mr. Schwartz disclosed that he knew two partners that were involved in this matter. Mr. Schwartz had no prior knowledge of this matter before receiving the agenda materials and believes he can render a fair and impartial decision in this matter.

#### File Number 2006-01873, Samuel Y. Harris

Regarding **File Number 2006-01873, Samuel Y. Harris**, the Section members reviewed the Consent Order as seen and agreed to by Mr. Harris. Mr. Fauber moved to recommend that the Board accept the Consent Order which cites the following violations of the Board's 2002 regulations: 18 VAC 10-20-750 (Count 1) and 18 VAC 10-20-790.A.2 (Count 2). For the violations contained in Counts 1 and 2, Mr. Harris agrees to the revocation of his architects license as well as Board costs in the amount of \$150.00. Mr. Schwartz seconded the motion which was unanimously approved by members: Fauber and Schwartz.

As the reviewing Board member, Mr. Clark was not present during the discussion or vote.

Regarding **File Number 2005-02633, Alvah Breitweiser**, the Section member reviewed the record of the Informal Fact-Finding Conference, which consisted of the investigative file, transcripts and exhibits, and the Summary of the Informal Fact-Finding Conference. Mr. Fauber recommended that the Board accept the Summary of the Informal Fact-Finding Conference as to the facts, which cites the following violations of the Board's 2002 regulations: 18 VAC 10-20-750.A (Count 1), 18 VAC 10-20-790.A.2 (Count 2) and 18 VAC 10-20-740 (Count 3). Mr. Schwartz seconded the motion which was unanimously approved by members: Fauber and Schwartz.

**File Number**  
**2005-02633,**  
**Alvah**  
**Breitweiser**

After Ms. Perkins indicated that there have been no prior disciplinary actions against Mr. Breitweiser, Mr. Fauber recommended that the Board accept the sanctions contained in the Summary of the Informal Fact-Finding Conference and impose the following sanctions: \$500.00 monetary penalty for the violation contained in Count 1; license revocation for the violation contained in Count 2; and \$1,000.00 monetary penalty and license revocation for the violation contained in Count 3. Mr. Schwartz seconded the motion which was unanimously approved by members: Fauber and Schwartz.

As the presiding Board member, Mr. Clark was not present during the discussion or vote.

Mr. Courtney briefly reviewed the resolutions voted on at the NCARB annual meeting. Mr. Courtney also provided Mr. Clark and Mr. DeBoer with informational materials received at the meeting.

**Discussion of**  
**NCARB Annual**  
**Meeting**

Mr. Schwartz moved that the Architects section recommend to the APELSCIDLA Board at its meeting on September 7, 2006, that the Board initiate the regulatory review process by authorizing staff to file the Notice of Intended Regulatory Action (NOIRA) to allow ARE candidates who are enrolled in the NCARB IDP to start taking divisions of the ARE prior to completion of the NCARB IDP provided they have completed at least 250 IDP training units. Mr. Fauber seconded the motion which was unanimously approved by members: Clark, Fauber and Schwartz.

**Discussion of**  
**IDP Participants**  
**Taking the ARE**

After discussion, Mr. Schwartz requested that this item be placed on future Section agendas for discussion.

**Discussion of**  
**Board Funding**  
**IDP Application**  
**Fees**

Mr. Courtney provided the Section members with a handout and noted that the item will be on the September 7, 2006, APELSCIDLA Board meeting agenda for discussion. After review and discussion, the Section members concurred with the recommended interpretation provided by staff.

**Discussion of  
Sealing of  
Professional  
Work by  
State/Local  
Government  
Employees**

Mr. Courtney provided the Section members with the following proposed 2007 meeting dates for the Architects Section: Wednesday, January 31, 2007; Thursday, May 3, 2007; Thursday, July 26, 2007; and Thursday, October 25, 2007. Mr. Clark moved to adopt the proposed meeting dates. Mr. Fauber seconded the motion which was unanimously approved by members: Clark, Fauber and Schwartz.

**Set 2007 Meeting  
Dates**

Mr. Courtney informed the Section that there were no memorandums or notices received by the Board office from NCARB during the last quarter.

**Review of  
Quarterly  
Information  
Received from  
NCARB**

Mr. Courtney gave a brief report of his trip to Wisconsin for the AIA CACE annual meeting.

**Other Business**

Mr. Courtney reviewed the yearly budget process with the Section members.

Conflict of Interest forms were completed by all members present.

**Conflict of  
Interest Forms**

There being no further business, the meeting was adjourned at 9:56 a.m.

**Adjourn**

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Kenneth A. Schwartz, Chair

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Jay W. DeBoer, Secretary